

STATE OF MICHIGAN
DEPARTMENT OF ATTORNEY GENERAL



DANA NESSEL
ATTORNEY GENERAL

May 24, 2024

Mr. Timothy G. Lynch
Vice President and General Counsel
University of Michigan
Alexander G. Ruthven Building
1109 Geddes Avenue, Ste 2300
Ann Arbor, MI 48109-1079

Dear Mr. Lynch:

Please allow me to introduce myself. I am Danielle Hagaman-Clark and I serve as the Department of Attorney General's Criminal Bureau Chief. In this capacity, I oversee the DAG's criminal justice system involved work, including the Criminal Trials Division. The Criminal Trials Division has state-wide criminal jurisdiction to prosecute cases in all of the 83 counties. In addition, our Criminal Appellate and Parole Appeals Division handles all the appellate work driven by our in house prosecutions, as well as the appeals for the 56 smallest counties in Michigan. They also respond to federal habeas petitions filed by prisoners held by the Michigan Department of Corrections and its Wardens who are challenging the federal constitutionality of their state convictions and/or sentences.

I write today to offer the DAG's assistance with investigating and prosecuting, any cases that arise from the recent demonstrations on UM's campus. It should be noted that charges would be based solely on evidence that satisfies guilt beyond a reasonable doubt.

It has been widely reported that the demonstrators have not limited their protests to the campus but have also appeared at the homes of the Board of Regents. My understanding is that the Regents are not required to live in Washtenaw County the location of UM, but that they reside in several different counties. Because the DAG has state-wide criminal authority to bring charges, we are ideally situated to review any potential cases.

I would also note that our Department has specialized expertise in the intersection of First Amendment free speech rights in the context of a criminal prosecution. We are fluent in the law around what speech is protected and what speech is not protected. In addition, our criminal prosecutors represent some of the best legal

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minds and talented litigators. We have adopted a team approach to many of our cases that partner our trial attorneys with our appellate specialists to ensure that all legal issues are promptly addressed and preserved.

General Nessel has discussed the potential jurisdictional issues that might arise, with Washtenaw County Prosecutor Eli Savit. Prosecutor Savit recognizes that his authority is confined to Washtenaw County. He is comfortable with the DAG overseeing these cases based on his jurisdiction being limited to only Washtenaw County.

If you have any questions or concerns, please feel free to reach out to me through the Department at [REDACTED].

Sincerely,

Danielle Hagaman-Clark

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